

and lock pawls are disengaged from the jack bar teeth. The invention is particularly used with a dunnage jack bar which is expanded within a truck or railroad car to prevent the shifting of freight.

Ratchet type jacks and jack bars have been used for many years. With such devices, a toothed jack bar supports a carriage, and a pivoted operating lever mounted on the carriage employs power and lock pawls to incrementally adjust the position of the carriage on the jack bar.

The lock pawl is spring biased toward the jack bar teeth and it is not possible to freely move the carriage on the jack bar bi-directionally. Ratchet type jacks employ spring operating structure, such as shown in Weaver et al., to shift the action of the pawls' spring on the pawls to permit the carriage to be "pumped" in either direction on the jack bar, but heretofore, a separate quick release actuator has not been used to permit quick bi-directional adjustment of the carriage on the jack bar.

Claim 1 recites the basic relationship of the components. The pivoted operating lever mounted on the carriage has pivoted power and lock pawls mounted thereon which are biased toward the jack bar by spring means. The improvement comprises a quick release actuator which is movably mounted on the operating lever and is movable between quick release operative and inoperative positions

so that the quick release actuator can disengage the lock pawl from the jack bar teeth. As the power pawl will be disengaged from the jack bar teeth at a predetermined position of the operating lever, the use of the quick release actuator permits both pawls to be lifted from the jack bar teeth permitting easy bi-directional movement of the carriage on the jack bar. The prior art does not show this type of structure, or permit this type of free bi-directional carriage movement.

Claims 1 - 3 have been rejected under 35 U.S.C. 102(b) as anticipated by Javorik. Reconsideration is respectfully requested of this position.

Javorik shows a special purpose type of energy - recuperating lifting jack wherein powerful springs 12 and 14 can be compressed to permit the power of the springs to lift a vehicle. Javorik uses a power pawl 46 mounted on the operating lever 40, and a locking pawl 30 is mounted upon the stationary jack structure. A projection 56 mounted on the lever 40 is adapted to release the pawl 30 when the lever 40 is raised, and when the lever 40 is raised, it is true that both pawls 30 and 46 will be released from the teeth of the bar 6. However, the bar 6 of Javorik is not "freely" longitudinally movable with respect to the structure 4 because of the influence of the powerful springs 12 and 14 biasing the member 6 upwardly, FIGS. 1 and 2.

In order to clearly distinguish claim 1 of the application from Javorik, the word "freely" has been added to line 3.

A further significant difference exists between claim 1 and Javorik in that claim 1 requires that the power and lock pawls be pivotally mounted on the operating lever. In Javorik, the locking pawl 30 is mounted on the element 4, rather than on the actuating lever 40. Thus, a basic structural distinction exists between the location of the components of Javorik and those recited in claim 1.

To further distinguish claim 1 from Javorik, the word "movably" has been added to line 7 to emphasize the fact that the quick release actuator is movably mounted on the operating lever and is movable between operative and inoperative positions. The projection 56, which the Examiner is calling a "quick release lever", is not a lever, but is described as a "projection". The projection 56 does not move relative to the lever 40 and does not function in the same manner as the quick release actuator described in claim 1. Projection 56 is not movable with respect to lever 40.

It is respectfully submitted that the concept of the Javorik jack, and the jack bar assembly of claim 1, are so different that one skilled in the art would not utilize the Javorik assembly in the manner claimed in the application. The springs 12 and 14 of Javorik are basic to the jack described in the reference, and although Javorik is capable of releasing both the power and lock pawls from the bar teeth, the similarity between Javorik and the

reference ends there. Javorik and the claimed invention do not operate in a similar manner, and the structure of Javorik would not be practical as used with a freight dunnage jack bar assembly.

Accordingly, reconsideration of the '102 rejection of claims 1 - 3 is requested, and is appropriate.

Claim 4 has been rejected under 35 U.S.C. 103(a) as unpatentable over Javorik in view of Weaver et al. Reconsideration is respectfully requested for the reasons set forth above and the amendments made to claim 1. Further, while Weaver et al. shows a single spring for use with the power and lock pawls, it is not possible to render the spring of Weaver et al. ineffective so that both pawls are released from the toothed bar. While it is true that Weaver et al. anchors a single leaf spring in the power and lock pawls, there is no anticipation in this reference as to how a quick release aspect could be applied to the spring, and the inventive concept is not remotely anticipated.

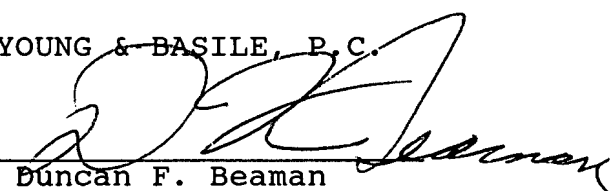
Reconsideration of the application by the Examiner is respectfully requested, and it is submitted that, upon reconsideration, the Examiner will readily appreciate the differences between the references, either singly or in combination, and the claims. The prior art does not remotely suggest the use of movable quick release actuator for disengaging the lock pawl from the jack bar to permit rapid bi-directional

movement of the carriage on the jack bar.

Respectfully submitted,

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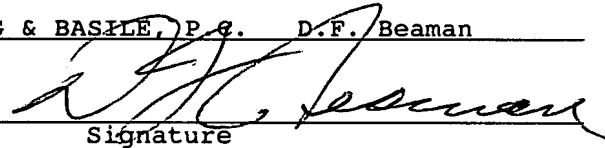
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